

The Office Action objects to the title of the invention as not being descriptive. The title of the invention is amended to be clearly indicative of the invention to which the claims are directed. Accordingly, Applicants respectfully request that the objection to the title be withdrawn.

The Office Action rejects claim 55 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claim 55 is amended to obviate the rejection. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

The Office Action also rejects claims 1-4, 7, 10-14, 17 and 20-55 under 35 U.S.C. §102(b) as being anticipated by Chen (U.S. Patent No. 5,488,597) and claims 5, 6, 8, 9, 15, 16, 18 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Tachibana (U.S. Patent No. 5,529,864). Applicants respectfully traverse these rejections.

Specifically, Applicants assert that neither Chen or Tachibana, alone or in combination, disclose or suggest an optical recording medium having at least one optical recording layer, the optical recording layer including an optical recording material that changes a state of photo-induced birefringence in response to a recording light that is controlled to rotate a polarization angle of the recording light, a portion of the recording layer that changes a state of photo-induced birefringence rotates a polarization angle of the portion substantially acting optically as a half-wave plate, as recited in independent claim 1, and similarly recited in independent claims 11, 21, 22, 35, 37, 39 and 55.

Furthermore, Applicants assert that neither Chen or Tachibana, alone or in combination, disclose or suggest an optical recording method having at least a step of controlling a polarization angle of a recording light emitted from a light source, the recording

light controlled to rotate the polarization angle of the recording light, as recited in independent claim 26, and similarly recited in independent claims 30, 40, 43, 46, 49, 52, 53 and 54.

Specifically, Chen discloses a multilayer optical memory of interleaved optical recording media layers and control layers. See col. 1, lines 5-7. As seen in Figs. 1-3, a memory 10 comprises an assembly of a plurality of interleaved optical recording media layers 12 and control layers 14. See col. 2, lines 16-34. A light beam 16 is directed through a polarizer 18 to establish an initial polarized condition for the light beam and scan the memory assembly. The control layers 14 establish an additional polarized condition for the light beam 16 and determine which of the recording layers 12 are subject to interaction with the light beam 16.

Tachibana discloses an optical recording medium that is suitable for high-efficiency recording and reproduction of information at a recording density below the optical resolution. See col. 1, lines 7-11.

In contrast to Applicants' claimed invention, neither Chen or Tachibana, alone or in combination, disclose or suggest an optical recording medium having at least an optical recording layer that includes an optical recording material that changes a state of photo-induced birefringence in response to a recording light that is controlled to rotate a polarization angle of the recording light, a portion of the recording layer that changes a state of photo-induced birefringence rotates a polarization angle of the portion substantially acting optically as a half-wave plate.

Furthermore, neither Chen or Tachibana, alone or in combination, disclose or suggest an optical recording method having at least a step of controlling a polarization angle of a recording light emitted from a light source, the recording light controlled to rotate the

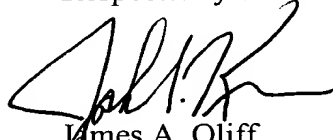
polarization angle of the recording light. On the contrary, as seen in all of the embodiments of Chen, the polarizer 18 establishes an initial polarized condition for the light beam, and is not a polarization rotary device that rotates the polarization angle of a recording light from 0 to 90° in response to the voltage supplied to the rotary device. Instead, the polarizer 18 in Chen polarizes the light beam 16 so that the control layers 14 can additionally polarize the light beam 16 and direct the light beam 16 to specific recording layers 12 that are to be subject to interaction with the light beam 16. Because Chen does not disclose a recording light that is controlled to rotate a polarization angle of the recording light, Chen cannot record data using a controllable angle and recording information in a multilevel fashion.

Accordingly, neither Chen or Tachibana, alone or in combination, disclose or suggest all of the features of any one of independent claims 1, 11, 21, 22, 26, 30, 35, 37, 39, 40, 43, 46, 49 and 52-55. Accordingly, Applicants assert that these independent claims define patentable subject matter. Claims 2-10, 12-20, 23-25, 27-29, 31-34, 36, 38, 41, 42, 44, 45, 47, 48, 50 and 51 depend from independent claims 1, 11, 22, 26, 30, 35, 37, 40, 46, 43 and 49, respectively, and therefore also define patentable subject matter. Accordingly, Applicants respectfully request that the rejections of claims 1-55 under 35 U.S.C. §102(b) and §103(a) be withdrawn.

In view of the foregoing, Applicants submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-55 are earnestly solicited.

Should the Examiner believe anything further is desirable to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' attorney at the telephone number listed below.

Respectfully submitted,



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